In the High Court of Punjab and Haryana at Chandigarh

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C.W.P. No.11275 of 2004

.....

Date of decision:11.9.2006

The Managing Committee, Shri Guru Gobind Singh College

.....Petitioner

v.

The College Tribunal and others

.....Respondents

....

Coram: Hon'ble Mr. Justice S.S. Nijjar
Hon'ble Mr. Justice S.S. Saron

Present: Mr. Pawan Kumar, Advocate for the petitioner.

Mrs. Charu Tuli, Senior Deputy Advocate General, Punjab.

Mr. M.L. Sachdeva, Advocate for respondent No.2.

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S.S. Nijjar, J. (Oral):

It is not disputed by the learned counsel for the parties that the contempt proceedings are pending in contempt jurisdiction of this Court, as it is claimed by respondent No.2 that he is still not being paid subsistence allowance. On the other hand learned counsel for the petitioner has pointed out that the statutory appeal filed by the petitioner-management before the College Tribunal under the Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974 is still pending adjudication. The petitioner was compelled to move this Court as neither the appeal was being heard nor any interim relief had been granted to the petitioner.

Having heard learned counsel for the parties, we are of the considered opinion that for the present the writ petition can be disposed of by issuing necessary direction to the College Tribunal for taking a decision on the appeal filed by the petitioner-management. In normal circumstances this Court would generally not issue any direction to College Tribunal for deciding appeal out of turn. However, in the present case the allegations against respondent No.2 are such that the matter needs the attention of the College Tribunal at its earliest.

We dispose of this writ petition with the direction to the respondent No.1 College Tribunal to decide the appeal submitted by the petitioner-College expeditiously, preferably within six months from today. The learned counsel for the petitioner is directed to produce a certified copy of this order before the Tribunal within seven days from today. No costs.

Copy of this order be given dasti on payment of usual charges.

(S.S. Nijjar)
Judge

September 11, 2006.

(S.S. Saron)
Judge

hsp